

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-19 and 58-66 are pending in this application. Claims 58-66 are added, and Claims 1, 6, 9-15, and 18 are amended by the present amendment.

Applicants respectfully submit that claim amendments and new claims find support in the application as originally filed. Thus, no new matter is added by the present amendment.

In the outstanding Office Action, Claims 1-19 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent 6,590,529 to Schwoegler in view of U.S. Patent 6,591,305 to Densmore and U.S. Patent 5,848,378 to Shelton et al. (herein "Shelton"). Applicants respectfully traverse that rejection with respect to the amended independent claims.

Claim 1 is directed to method for streaming dynamic weather content simultaneously to a plurality of end user clients in a wide area communication system. The method includes, in part, selecting, as a selected weather station, the closest weather station for each end user client. The closest weather station is the weather station in a plurality of weather stations having a weather station location that is closest to the desired user location for each end user client. In addition, the method includes determining if the closest weather station for each end user client is operational or not operational, and selecting, as the selected weather station, an alternate nearby weather station for each user client when the closest weather station is determined to be not operational. The alternate nearby weather station is the weather station in the plurality of weather stations having a weather station location that is closest to the desired user location, except for the selected weather station, for each end user client. Further, the method includes selecting dynamic weather content received from the selected weather station for each end user client based on the received desired user location and the

determined operational status of the selected weather station. Independent Claims 10 and 14 include similar features.

Thus, the claimed methods may advantageously select dynamic weather content from a weather station that is closest to a location requested by a user, and if that weather station is not operational, the methods can automatically determine a second closest weather station to the location desired by the user and select the dynamic weather content from that second (e.g., alternate nearby weather station) weather station to be sent to the user.

Applicants respectfully submit that the references in the Office Action fail to teach or suggest each of the features of the independent claims. For example, Applicants respectfully submit that Schwoegler, Densmore, and Shelton, whether taken individually or in combination, fail to teach or suggest selecting a weather station as a closest weather station to a desired user location and selecting dynamic weather content from the selected weather station to be transmitted to the user. Further, Applicants respectfully submit that the references in the Office Action fail to teach or suggest determining if the closest weather station for each end user client is operational or not operational, and selecting an alternate nearby weather station as the selected weather station when the closest weather station is determined to be not operational.

Schwoegler describes a weather forecasting system in which a location of an electronic device is detected and weather forecast data is generated and transmitted to the electronic device.<sup>1</sup> Further, Schwoegler describes receiving weather information from a weather information consolidator, such as a weather data vendor 52, weather service provider 802, weather data vendors 900, the national weather service, or NOAA.<sup>2</sup> However, Schwoegler fails to teach or suggest collecting dynamic weather content from a plurality of weather stations that sense weather conditions at different weather station locations, and

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<sup>1</sup> Schwoegler at Abstract.

<sup>2</sup> Schwoegler at Figures 3, 15, 16, 18, and at column 5, lines 32-46, column 6, lines 7-11, and column 9, lines 35-39, and column 14, lines 16-27.

instead, Schwoegler only describes collecting weather information from weather information consolidators.

Further, Schwoegler also fails to teach or suggest selecting a particular one of the weather stations, from which data is collected, as a selected weather station based on a proximity of the selected weather station to a user's desired location. On the other hand, Schwoegler describes creating *a weather forecast* for a current location of the user.<sup>3</sup> In particular, Schwoegler indicates that a forecasting subsystem 50, is responsive to weather data received from the weather data vendors 52. In addition, Schwoegler indicates that the weather forecasting subsystem 50, as shown in Figure 3 of Schwoegler, operates in general to receive weather data and to generate forecast weather information by sector and to store those forecasts. Thus, according to Schwoegler, anytime a user transmits a request, the user's location is determined and a forecast for the user's location is retrieved.<sup>4</sup> Thus, according to Schwoegler, a forecast is generated for a current location of a user based on forecast data received from a weather information consolidator for a sector (e.g., a particular radar sector, or a particular portion of a region covered by a Doppler radar).<sup>5</sup> Accordingly, Schwoegler describes providing forecasts of data interpreted from weather data, and does not describe "transmitting the selected dynamic weather content," received from the selected weather station, as recited in the independent claims.

In addition, Schwoegler fails to teach or suggest selecting a closest weather station to a desired user location and determining an alternate nearby weather station if the closest weather station is not operational. Schwoegler describes receiving weather information from weather information consolidators, and therefore, Schwoegler is silent regarding a selection of a particular weather station, or an alternate weather station if the particular weather station is not operational. Accordingly, Applicants respectfully submit that Schwoegler fails to teach

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<sup>3</sup> Schwoegler at column 4, lines 60-61.

<sup>4</sup> Schwoegler at column 7, lines 40-49 and at Fig. 5.

<sup>5</sup> Schwoegler at column 7, lines 17-23.

or suggest “selecting, as a selected weather station, a closest weather station in the plurality of weather stations for each end user client,” and Schwoegler also fails to teach or suggest “determining if the closest weather station for each end user client is operational or not operational, and selecting, as the selected weather station, an alternate nearby weather station for each user client when the closest weather station is determined to be not operational,” as recited in the independent claims. Thus, Schwoegler also fails to teach or suggest “selecting dynamic weather content received from the selected weather station for each end user client based on the received desired location and the determined operational status of the selected weather station,” as recited in the independent claims.

Shelton describes a system for collecting and presenting real time weather information that allows “network client users [to] specify from which of the remote stations they wish to receive weather data. The data including the real time weather conditions at the selected site is presented to the users in a variety of formats that are supported by the particular client/server protocol being used.”<sup>6</sup> Thus, according to Shelton, *a user* specifies a remote station to receive weather data from, and Shelton does not teach or suggest *a method for selecting* a closest weather station in the plurality of weather stations where the closest station is the weather station closest to a desired user location for each end user client.

Further, Shelton fails to teach or suggest receiving any desired user location. On the other hand, according to Shelton, a user specifies a particular remote station to receive weather data from.

In addition, as Shelton describes a user selecting a remote station, Shelton fails to teach or suggest any method of automatically determining if the closest weather station for an end user is operational, and for selecting an alternate weather station when the closest weather is not operational.

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<sup>6</sup> Shelton at column 12, lines 31-36.

Further, Shelton fails to teach or suggest any method for identifying a weather station based on a proximity to a desired user location. Accordingly, Applicants respectfully submit that Shelton also fails to teach or suggest the claimed features lacking in the disclosure of Schwoegler as described above. Likewise, Densmore does not cure the deficiencies described above with regard to the independent claims, as Densmore is merely asserted for its alleged discussion of having client objects that may periodically request downloads.

Accordingly, Applicants respectfully submit that Schwoegler, Shelton, and Densmore, weather taken individually or in combination fail to teach or suggest each of the features of independent Claims 1, 10, and 14.

Accordingly, it is respectfully submitted that independent Claims 1, 10, and 14, patentably define over Schwoegler, Shelton, and Densmore.

In addition, new Claim 58 is directed to the method of Claim 1 further comprising a step of determining if each end user client has a weather display application installed or does not have the weather display application installed. The weather display application is configured to display the selected dynamic weather content transmitted to each end user client. The method of Claim 58 also includes downloading the weather display application from the weather content server to each end user client determined not to have the weather display application installed. Claims 61 and 64 include similar features.

Applicants respectfully submit that each of the references in the Office Action fail to teach or suggest any determining or downloading steps such as recited in Claims 58, 61, and 64. Accordingly, Applicants respectfully submit that dependent Claims 58, 61, and 64 are also patentable for that reason in addition to the reasons discussed above.

Moreover, new Claim 59 is directed to the method of Claim 1, where the receiving step further comprises extracting request parameters from a universal resource locator included in the received request. The request parameters include at least one of a registration

number of a user using the end user client, a zip code of the desired user location, a version number of a weather display application installed on the end user client, and an indication of whether the weather display application is operating in the foreground or the background.

Dependent Claims 62 and 65 include similar features.

Applicants respectfully submit that the references in the Office Action also fail to teach or suggest any extracting operation as recited in dependent Claims 59, 62, and 65. Accordingly, it is respectfully submitted that dependent Claims 59, 62, and 65 are also allowable for that reason as well as the reasons discussed above.

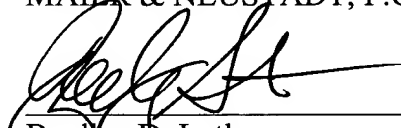
Further, new Claim 60 is directed to the method of Claim 1 where the collector dynamic weather content includes each of the recited weather parameters. Dependent Claims 63 and 66 include similar features. On the other hand, Applicants respectfully submit that none of the references in the Office Action teach or suggest that dynamic weather content includes each of the parameters recited in dependent Claims 60, 63, and 66. Accordingly, Applicants respectfully submit that dependent Claims 60, 63, and 66 are allowable for that reason as well as the reasons discussed above.

Accordingly, Applicants respectfully submit that independent Claims 1, 10, and 14, and claims depending therefrom are allowable.

Consequently, in light of the above discussion and in view of the present amendment, this application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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